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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: the Application of Lewis et al.

Docket No. 0065.00

Art Unit: 1744

Serial No. 09/826,146

Examiner: William H. Beisner

Filed: April 05, 2001

For: Utilization of Invertebrate Learning for Flexible and  
Sensible Monitoring and Identification of Chemicals

**MAIL STOP ISSUE FEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO SUPPLEMENTAL NOTICE OF ALLOWABILITY**

Dear Sir:

In response to the Official Office action-Supplemental  
Notice of Allowability mailed November 24, 2004, consideration of  
the attached documents in fulfillment of the requirement to file  
a substitute oath or declaration is respectfully requested.



## **REMARKS**

The office states that the oath or declaration is defective and requires a new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date. The Office directs attention to MPEP 602.01 and 602.02. The Office then states that the oath or declaration is defective because the specification to which the oath or declaration is directed has not been adequately identified and directs attention to MPEP 602. The Office then states that the declaration filed on 15 August 2001 improperly identifies the specification as that of Application No. "09/825,977" rather than "09/826,146".

Attached is a new executed declaration correcting the error in the originally filed declaration. The originally filed declaration had the serial number initially assigned to the case by OIPE. Somewhere after the Correspondence receipt card was mailed out with the original serial number, the Office changed the serial number to what is now required on the new declaration.

In the event this paper is deemed not timely filed, the undersigned hereby petitions for an appropriate extension of time. Please charge any fees, which may be required by this



paper or at any time during prosecution of the instant application, or credit any overpayment, to deposit account 50-2134.

2/8/05

DATE

Respectfully Submitted,

Gail E. Poulos

Gail E. Poulos, Patent Advisor

Registration No. 36,327

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#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP ISSUE FEE Commissioner for Patents, P.O. Box 1450

Alexandria, Virginia 22313-1450, on February 8, 2005

(DATE)

Colleen Avacena

(Name of applicant, assignee, or Registered Representative)

Colleen Avacena

(Signature)

2-8-05

(DATE)